

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Servants - Panchayat Raj Engineering Department – Allegations of irregularities committed in execution of road work “Providing BT on Road from Peddadagada to Velgonda via Gudem, Bekkem, Gaddabasvapur and Miyapur” in Mahabubnagar District against Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District – Disciplinary proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

**G.O.Rt.No. 1240**

**Dated:27.07.2013**

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**ORDER:**

It is proposed to hold an inquiry against Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and list of witnesses, by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the order / directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte.

6. Attention of Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division, Kollapur, Mahaboobnagar District, is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri K. Sri Hari, Deputy Executive Engineer, PIU Sub-Division,  
Kollapur, Mahaboobnagar District  
**through** the Engineer-in-Chief, Panchayat Raj, Hyderabad.

**P.T.O.**

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The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to :

The General Administration (V&E) Department.

The Secretary to V.C., APVC, Hyderabad.

SF/SC

// FORWARDED::BY:: ORDER //

SECTION OFFICER

## **ANNEXURE-I**

### **STATEMENT SHOWING THE ARTICLE OF CHARGES AGAINST SRI K. SRI HARI, DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, PIU SUB-DIVISION KOLLAPUR OF MAHABUBNAGAR DISTRICT.**

#### **Charge:**

That Sri K. Sri Hari, Deputy Executive Engineer (PR), PIU SD Kollapur of Mahabubnagar District has committed certain irregularities in execution of road work "Providing BT Surface to the Road from Peddadagada to Velgonda via Gudem, Bekkem, Gaddabasvapuri & Miyapur" in Mahabubnagar district taken up under NABARD RIDF-XII in Mahabubnagar district, as he has

- i. Colluded with the Contractor and allowed to execute the work without EOAT.
- ii. Supervised and recoded the work with backdates to avoid extension of time and thereby levying of Liquidated damages.

#### **BASIS:**

The V&E Department made the following observations / findings vide Vigilance Report No.47 (C.No.27/V&E/E2/2009-2), dt:27.06.2012.

1. The physical measurements verified at site at random are fairly tallying with the recorded measurements except shortfall in OGPC Layer of 0.11 mm (.558%) in KM 1/0 to 2/0 , 0.221 mm (1.117%) in KM 3/0 to 4/0 , 0.11 mm (.558%) in KM 5/0 to KM 6/0, 0.56 mm (2.783%) in KM 9/0 to KM 10/0 which is within the allowable of 15%. An amount of Rs.40,564/- is proposed as recovery for the deficiency.
2. Gradation Tests conducted for WBM Grade-II Layer oversize in 63 mm metal KM 1/0 to 2/0 (6.15%), KM 3/0 to 4/0 (8.66%), KM 5/0 to KM 6/0 (8.55%), KM 7/0 to KM 8/0 (15.12%), KM 9/0 to KM 10/0 (7.26%), KM 11/0 to KM 12/0 (14.22%), KM 13/0 to KM 14/0 (12.14%), and KM 14/0 to KM 15/0 (11.92%) and results are within allowable limits of 30%. An amount of Rs.63,587/- is proposed as recovery for the deficiency.
3. Gradation Tests conducted for WBM Grade-III Layer reveal oversize in 53 mm metal in KM 1/0 to KM 2/0 (16.26%), KM 3/0 to 4/0 (10.79%), KM 5/0 to KM 6/0 (12.92%), KM 7/0 to KM 8/0 (17.51%), KM 9/0 to KM 10/0 (14.14%), KM 11/0 to 12/0 (17.12%), KM 13/0 to Km 14/0 (15.20%) and KM 14/0 to KM 15/0 (17.35%) . Oversize is observed in 45mm metal in KM 1/0 to 2/0 (7.86%), KM 3/0 to 4/0 (6.12%), KM 5/0 to 6/0 (1.79%), KM 7/0 to 8/0 (10.87%), KM 9/0 to KM 10/0 (7.29%), KM 11/0 to KM 12/0 (6.61%), KM 13/0 to KM 14/0 (7.27%), and KM 14/0 to Km 15/0 (4.36%) and results are within allowable limits of 30%. An amount of Rs.44,212/- is proposed for recovery for the deficiency.
4. Weight of WBM Layers is verified and satisfying relevant standards.
5. Bitumen extraction tests conducted on samples extracted from OGPC Layer reveal a deficiency in bitumen content in KM 1/0 to 2/0 (4.96%), Km 3/0 to KM 4/0 (0.74%), KM 13/0 to 14/0 (0.33%) which are within allowable of 15%. An amount of Rs. 18,113/- is proposed as recovery for the deficiency.
6. The field engineers have not conducted Quality Control Tests such as Sieve Analysis of WBM Grade-II and WBM Grade-III Layers, PD Test for Soil compaction, Aggregate Impact tests and Bitumen Extraction Test.
7. The EE (PR) Vigilance & Quality Control Division, Hyderabad inspected the work on 21.03.2008 and reported that the progress of the work is not as per the milestones mentioned in the agreement and suitable penalty may be imposed.

**P.T.O.**

8. The field officers reported that the work was completed within the agreement period of 23.09.2008. The EE (PR), Wanaparthy recommended (8) running bills for payment after expiry of extension of agreement time period i.e. 23.09.2008. Verification of records revealed that the measurements were recorded prior to agreement completion dates but not incorporated in the immediate subsequent bills for payment which proves that measurements were recorded with backdates.
9. The 8<sup>th</sup> & part bill was passed on 25.09.2008 and the entire work that was executed by that time could have been recorded in the bill. But the recordings made on 27.05.2008, 27.06.2008 are entered in 9<sup>th</sup> & part bill, recordings made on 27.06.2008, 25.07.2008 are entered in 10<sup>th</sup> & part bill, recordings made on 25.08.2008 are entered in 11<sup>th</sup> & part bill and recordings made on 10.07.2008, 21.07.2008, 12.09.2008 and 21.07.2008 are entered in 12<sup>th</sup> & part bill, recordings made on 12.08.2008, 01.09.2008 are entered in 13<sup>th</sup> & part bill etc. These measurements could have been entered in the 8<sup>th</sup> & part bill itself as the pass order was made on 25.09.2008. This shows that even though the work was executed beyond 25.09.2008 (date of pass order of 8<sup>th</sup> & part bill) they have recorded the bills with backdate i.e. from 27.05.2008 to 15.09.2008 (recording dates of 9<sup>th</sup> & 16<sup>th</sup> bills). Had the work been completed in the above dates, it could have been entered in the 8<sup>th</sup> & part bill itself which was not done.
10. The AEE on 28.04.2009, stated that the item of side berms was not recorded on 01.09.2008 & 05.09.2008. The EE (PR) Wanaparthy vide letter dt:18.08.2008 gave a notice to the Contractor as per which the gross value of work executed is only Rs.91.04 lakhs. Surprisingly, the work was reported to have been completed by 23.09.2008 as per which a contractor who has done work of value Rs.91.04 Lakhs in 11 months, executed balance work of Rs. 176.96 lakhs in one month which is hard to believe. The SE, PR, Mahaboobnagar in his letter dt:15.10.2008 addressed to the EE, PR, Wanaparthy stated that the Contractor has not completed the work within the stipulated period with which it is evident that the work is not completed within the stipulated period of 23.09.2008 and the Contractor executed the work beyond 23.09.2008 and field officers have recorded the work with backdates. The PAO staff on their part without seeking any clarifications are making remarks / objections about the delayed submission of bills have simply made payments to the Contractor.
11. From the above, it is clear that all the officials including PAO office staff have colluded with the contractor and allowed backdated recordings. The reason for the action of field officers is to avoid applying for EOAT by the contractor and thereby to avoid levying of LDs. The Levying LDs as the Contractor has done 34% work in 11 months and with the active convenience of field officials the balance 66% was shown as completed in one month and avoid the LDs conveniently.

Therefore, Sri K. Sri Hari, Deputy Executive Engineer (PR), PIU SD Kollapur of Mahabubnagar District has failed to discharge his legitimate duties properly and executed substandard work. Thus his action is in violation of APCS (Conduct) Rules, 1964.

Hence the charge.

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

**ANNEXURE –II**

**LIST OF DOCUMENTS FOR WHICH THE ARTICLES OF CHARGES AGAINST SRI K. SRI HARI, DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, PIU SUB-DIVISION, KOLLAPUR OF MAHABUBNAGAR DISTRICT ARE PROPOSED TO BE SUSTAINED.**

Vig. & Enforcement Report No.47 (27/V&E/E2/2009-2), dt:27-06-2012.

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

**ANNEXURE –III**

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES AGAINST SRI K. SRI HARI, DEPUTY EXECUTIVE ENGINEER, PR, PIU SD KOLLAPUR OF MAHABUBNAGAR DISTRICT ARE PROPOSED TO BE SUSTAINED.**

-NIL-

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER